

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX
1100 EAST MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219-3517
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NWAMAKA ANOWI
CLERK

TELEPHONE
(804) 916-2700

June 13, 2024

Laura A. Austin, Clerk
U.S. District Court
Western District of Virginia
210 Franklin Rd SW, Suite 540
Roanoke, VA 24011

**Re: Goodwin v. Clarke
7:22-cv-00517-EKD-JCH**

Dear Ms. Austin:

The enclosed notice of appeal was received by this court on June 5, 2024.

In accordance with Rule 4(d) of the Federal Rules of Appellate Procedure, the notice has been date stamped and is being forwarded to your court for appropriate disposition. See FRAP 4(d) ("If a notice of appeal in either a civil or a criminal case is mistakenly filed in the court of appeals, the clerk of that court must note on the notice the date when it was received and send it to the district clerk. The notice is then considered filed in the district court on the date so noted.")

If this notice of appeal duplicates a notice already received by the district court, the notice need not be transmitted to this court a second time.

Sincerely,



Mark E. O'Brien
Chief Deputy Clerk

MEO:cad
Enclosure

cc: Jacob Scott Goodwin (w/ stamped 1st page)
#1931215
VDOC Centralized Mail Distribution Center
3521 Woods Way
State Farm, VA 23160

United States District Court for the Fourth Circuit

District of Western District of Virginia

Docket Number 7:22-cv-00517-EKD-JCH

JACOB SCOTT GOODWIN

v.

Notice of Appeal

HAROLD W. CLARKE

RECEIVED
2024 JUN -5 A 11:25
U.S. COURT OF APPEALS
FOURTH CIRCUIT

Jacob Scott Goodwin

(name all parties taking the appeal)*

appeal to the United States Court of Appeals for the Fourth Circuit from the final judgment entered on 3-4-2024 (state the date the judgment was entered).

(s) Jacob Goodwin

Attorney for _____

Address: 3521 Woods Way

State Farm VA 23160

[Note to inmate filers: If you are an inmate confined in an institution and you seek the timing benefit of Fed. R. App. P. 4(c)(1), complete the Declaration of Inmate Filing and file that declaration along with this Notice of Appeal]

* See Rule 3(c) for permissible ways of identifying appellants.

United States Court of Appeals
for the Fourth Circuit

[insert name of court]

Jacob Scott Goodwin

v.

Hatold W. Clarke

Case No. 7:22-cv-00517-EKD-JCH

DECLARATION OF INMATE FILING

I am an inmate confined in an institution. On 4-26-2024 [insert date], I deposited the Certificate of Appealability [insert title of document: for example "notice of appeal" or "petition for rehearing/rehearing en banc"] in this case in the institution's internal mail system. First-class postage was prepaid either by me or by the institution on my behalf.

I declare under penalty of perjury that the foregoing is true and correct (see 28 U.S.C. § 1746; 18 U.S.C. § 1621).

Sign your name here: Jacob Goodwin

Print your name here: Jacob Goodwin

Date Signed: 4-26-2024

[Note to inmate filers: If your institution has a system designed for legal mail, you must use that system in order to receive the timing benefit of Fed. R. App. P. 4(c)(1) or Fed. R. App. P. 25(a)(2)(A) (iii).]

①

In his book "The Legal Writer" Harvard Law Professor Steven D. Stark suggests to always write an introduction to any legal filing in order to give the judges a brief overview of what the case is about. To that end Jacob Goodwin submits the following:

The issue in this case is settled law in Virginia. The U.S. Supreme Court clearly holds that every element of an offense must be proven beyond a reasonable doubt.

Jackson v. Virginia, 443 U.S. 307 (1979) in Virginia the courts have adopted a rule that is wholly consistent with *Jackson*, supra, with respect to a "malicious wounding with intent to maim, disfigure, disable or kill." That rule is that the element of intent must be found by the jury, or clearly derivable by their verdict.

JACKSON V. COM, 218 Va. 490, 492-93 (1977); *BACCI V. COM* 213 VA. 236, 238 (1972) there are three ways to do that under Virginia law: 1) The jury says "guilty with intent..." 2) The jury says "as charged in the indictment" or 3) The jury says "in the matter joined" if one is charged with multiple offenses.

The record will clearly establish that none of these things happened in this case. The judgment below is contrary to the clearly established law stated by the

(2)

U.S. SUPREME COURT IN JACKSON. SUPRA
JACOB GOODWIN WAS NEVER FOUND GUILTY
OF AN ESSENTIAL ELEMENT OF MALICIOUS
WOUNDING IN VIRGINIA, AND THAT ELEMENT
IS INTENT. EVEN UNDER VIRGINIA LAW THE
JUDGMENT IS VOID. THE LOWER COURTS
SEEMED TO FOCUS ON EVIDENCE. BUT THIS
CLAIM IS NOT ABOUT EVIDENCE, IT IS ABOUT
THE ACTUAL LEGAL FINDING OF THE JURY.
ONE THAT DOES **NOT** INCLUDE THE ELEMENT
OF INTENT. EVERY LOWER COURT DECISION
THAT CONTRADICTS THIS IS A VIOLATION OF
CLEARLY ESTABLISHED LAW AS SETTLED BY
THE U.S. SUPREME COURT, AND IS GROUNDS
FOR FEDERAL HABEAS RELIEF

Jacob Goodwin #1931215
State Farm Correctional Center
3521 Woods Way
State Farm, VA 23160

RICHMOND KANSAS 640

30 MAY 2024 PM 4



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U.S. COURT OF APPEALS
FOR THE FOURTH CIRCUIT
1100 E. MAIN STREET
RICHMOND, VIRGINIA, 23219



THE VIRGINIA DEPARTMENT OF CORRECTIONS
HAS NEITHER CENSORED NOR INSPECTED THIS
ITEM. THEREFORE THE DEPARTMENT DOES NOT
ASSUME RESPONSIBILITY FOR ITS CONTENTS.
STATE FARM CORRECTIONAL COMPLEX

